

REMARKS

The Office Action dated July 17, 2007 has been received and considered. In this response, claims 5 and 6 have been amended. Support for the amendments may be found in the specification and drawings as originally filed. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

Allowed Claims

The Applicant notes with appreciation the indication at page 4 of the Office Action that claims 15-29 and 31 are allowed.

Anticipation Rejection of Claims 1-9, 11-14 and 32

At page 2 of the Office Action, claims 1-9, 11-14 and 32 are rejected under 35 U.S.C. § 102(a) as being anticipated by Dokic (U.S. Patent No. 5,726,989). This rejection is hereby respectfully traversed.

Dokic discloses a method for carrying synchronization data for an MPEG-1 stream in an MPEG-2 stream. *Dokic*, Abstract. In particular, Dokic discloses determining whether a packet contains audio data. *Id.*, FIG. 5A. Dokic further discloses determining whether an audio delay associated with an MPEG stream has been calculated if the packet does contain audio data. *Id.*, FIG. 5G. If the audio delay has not been calculated, the data can be discarded. *Id.*, col. 12, lines 39-41. Dokic further discloses that a flag is set to indicate that the audio delay has been calculated. *Id.*, col. 12, lines 30-31.

Turning to the claims, claim 1 recites “comparing a value of a first field in the transport packet to a value of a first field register to determine a first outcome in response to identifying the transport packet as containing audio stream data.” According to the Office Action at page 2, these elements are disclosed at FIG. 5G and column 11, lines 40-57 of Dokic, which disclose comparing a PTS value of a packet with a local STC value. In addition, claim 1 recites “determining whether to enable audio stream data related to the transport packet to be received by a system or to discard the transport packet, based at least in part on the first outcome.” According to the Office Action at page 2, these elements are disclosed at column 12, lines 18-43

of Dokic, which discloses that a packet can be discarded if the initial audio delay has not been calculated. However, as explained above, Dokic discloses that a flag determines whether or not the audio delay has been calculated and thus whether or not the packet is discarded. Further, Dokic does not disclose that the status of the flag is based on a comparison of a packet field value to a field register value. Accordingly, Dokic does not disclose determining whether to discard a packet **based on the outcome of a comparison of a value in a field of a packet to a first field register**, as recited in claim 1. Instead, Dokic discloses determining whether to discard a packet **based on the status of a flag**. Accordingly, Dokic fails to disclose each and every element of claim 1.

Claims 2-9 and 11-14 depend from claim 1. Thus, Dokic fails to disclose each and every element of claims 2-9 and 11-14, at least by virtue of their dependence on claim 1. In addition, claims 2-9 and 11-14 recite additional novel elements. To illustrate, claim 5 recites “wherein the first field indicates an audio type.” According to the Office Action at page 3, Dokic discloses these elements because it discloses identifying audio or video data. Applicant respectfully submits that video data is not an “audio type” as recited in claim 5. Accordingly, Dokic fails to disclose at least this feature of claim 5.

With respect to claim 7, the claim recites “wherein the stream indicator includes one or more start codes.” According to the Office Action at page 3, these elements are “within the scope of the reference” but does not cite to any particular portion of Dokic that discloses these elements. Applicant respectfully submits that Dokic does not disclose these features, and therefore fails to disclose each and every element of claim 7.

Claim 32 recites “means for determining whether to enable audio stream data related to the transport packet to be received by a system or to discard the transport packet based at least in part on a comparison of a value of a first field in the transport packet to a value of a first field register.” As explained above, Dokic does not disclose determining whether to discard a transport packet based on a comparison of a packet field to a field register. Accordingly, Dokic necessarily fails to disclose means for doing so. Thus, Dokic fails to disclose each and every element of claim 32.

In view of the foregoing, it is respectfully submitted that the anticipation rejection of claims 1-9, 11-14 and 32 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

Obviousness Rejection of Claim 10

At page 4 of the Office Action, claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Dokic in view of Van Steenbrugge (U.S. Patent No. 6,076,062). This rejection is hereby respectfully traversed.

Claim 10 depends from claim 1. As explained above, Dokic fails to disclose or suggest each and every element of claim 1. Further, Van Steenbrugge does not remedy the deficiencies of Dokic. Accordingly, the cited references fail to disclose or suggest each and every element of claim 10, at least by virtue of its dependency on claim 1. In addition, claim 10 recites additional novel elements.

In view of the foregoing, it is respectfully submitted that the obviousness rejection of claim 10 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

Conclusion

The Applicant respectfully submits that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicant believes no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

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